



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/631,424

08/03/2000

Paul L. Hickman

NEO1P025 A

6696

22918

7590

11/15/2005

PERKINS COIE LLP

P.O. BOX 2168

MENLO PARK, CA 94026

EXAMINER

PATEL, AJIT

ART UNIT

PAPER NUMBER

2664

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/631,424

Applicant(s)

HICKMAN ET AL.

Examiner

AJIT G. PATEL

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-7,10-13 and 15-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,4-7,10-13,15,16 and 21-25 is/are allowed.
- 6) ☒ Claim(s) 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2664

1.

Serial No. 09/631,424	Serial No. 09/633,497
<p>1. A voice web browser system comprising: a plurality of touch-tone telephones capable of producing DTMF signals;</p> <p>a remote access system coupled to a TCP/IP network, said TCP/IP network comprising a plurality of nodes, said TCP/IP network providing access to web pages stored on computer systems coupled to said TCP/IP network, said web pages comprising HTML code that can be transmitted via TCP/IP packets to said access system over said TCP/IP network, said access system being able to receive said TCP/IP packets and to parse said HTML code into text and non-text portions;</p> <p>a speech recognition system responsive to spoken commands from said telephone users and operative to provide voice commands to said access system;</p> <p>a public telephone system coupling said plurality of telephones to said access system for interactive communication with said access system through one or more telephone switch offices such that at least one of said DTMF signals and voice commands can be used to navigate among said web pages to a selected web page for a plurality of users of said plurality of telephones after a user of a touch-tone telephone is granted permission to use such functionality;</p> <p>a security system requiring at least a password to grant said user permission; and</p> <p>a text-to-speech system associated with said access system for reading at least some of said text portions to at least one of said plurality of users of said selected web page.</p>	<p>1. A voice web browser system comprising: a telephone;</p> <p>an access system coupled to a TCP/IP network, said TCP/IP network comprising a plurality of nodes, said TCP/IP network providing access to web pages stored on computer systems coupled to said TCP/IP network, said web pages, comprising HTML code that can be transmitted via TCP/IP packets to said access system over said TCP/IP network, said access system being able to receive said TCP/IP packets and to parse said HTML code into text and non-text portions, said access system utilizing the functionality of a customized web browser which is customized by a plug-in to navigate among said web pages;</p> <p>a telephone system coupling said telephone to said access system for interactive communication with said access system; and</p> <p>a text-to-speech system associated with said access system for reading at least some of said text to a user of said telephone.</p> <p>2. A voice web browser system as recited in claim 1 wherein said telephone is a touch-tone telephone, and wherein said</p>

<p>4. A voice web browser system as recited in claim 1 wherein said access system consists of a unitary computer system.</p> <p>5. A voice web browser system as recited in claim 1 wherein said access system comprises an interface computer system coupled to said plurality of telephone users by said telephone system, and a server coupling said interface computer to said TCP/IP network.</p> <p>6. A voice web browser system as recited in claim 1 wherein said access system is responsive to commands from said plurality of telephone users for navigating both within web pages and between web pages of said TCP/IP network.</p> <p>7. A computer implemented process for obtaining web page and e-mail information over a TCP/IP network comprising:</p> <p>implementing a connection of a plurality of telephone users via a public telephone system including at least one telephone switch office to an access system that is coupled to a TCP/IP network;</p> <p>requiring at least a password to grant a user of a telephone permission utilize the functionality of said access system;</p> <p>making an initial verbal communication to said user including at</p>	<p>access system can be provided with commands in the form of DTMF signals.</p> <p>3. A voice web browser system as recited in claim 1 further comprising a speech recognition system responsive to spoken commands from said telephone user and operative to provide operational commands to said access system.</p> <p>4. A voice web browser system as recited in claim 1 wherein said access system consists of a unitary computer system.</p> <p>5. A voice web browser system as recited in claim 1 wherein said access system comprises an interface computer system coupled to said telephone user by said telephone system, and a server system coupling said interface computer system to said TCP/IP network.</p> <p>6. A voice web browser as recited in claim 1 wherein said access system is responsive to commands from said telephone user for navigating both within a web page and between web pages of said TCP/IP network.</p> <p>7. A computer implemented process for obtaining web page information over a TCP/IP network comprising:</p> <p>implementing a connection of a telephone user to an access system that is coupled to a TCP/IP network;</p>
--	--

least providing a plurality of options including at least a network browsing option and an e-mail option;

if a network browsing option is selected, detecting a selection of navigation commands by at least one of voice and DTMF commands made by said telephone users to access web pages accessible over said TCP/IP network; and

if a network browsing option is selected, navigating over said TCP/IP network to said web pages in response to said navigation command, resulting in verbal communication of at least some information derivable from said web pages to said user.

10. A computer implemented process as recited in claim 7 wherein said plurality of options includes navigating the TCP/IP network and at least one of the sending of e-mail to others and receiving of e-mail from others.

11. A computer implemented process as recited in claim 10 wherein said plurality of options further includes creating a web page on said TCP/IP network.

12. A computer readable media encoded with the computer implemented process of claim 7.

13. A voice web browser

detecting a selection of at least one navigation command by said telephone user to access a web page accessible over said TCP/IP network; and

navigating utilizing the functionality of a customized web browser which is customized by a plug-in over said TCP/IP network to said web page in response to said navigation command, resulting in a verbal communication of at least some information derivable from said web page to said telephone user.

8. A computer implemented process as recited in claim 7 further comprising making an initial verbal contact with said telephone user after implementing a connection.

9. A computer implemented process as recited in claim 8 wherein said initial verbal contact includes providing a plurality of options to the telephone user.

10. A computer implemented process as recited in claim 9 wherein said plurality of options includes navigating the TCP/IP network and the sending or receiving of e-mail.

11. A computer implemented process as recited in claim 10 wherein said plurality of options further includes creating a web page on said TCP/IP network.

12. A computer readable media encoded with the computer implemented process of claim 7.

13. A voice web browser

<p>comprising:</p> <p>connection means including a public telephone system including at least one telephone switch office for implementing connections of a plurality of touch-tone telephone users to an access system that is coupled to a TCP/IP network;</p> <p>means requiring at least a password to grant a user of a touch tone telephone permission utilize the functionality of said access system;</p> <p>means for detecting a selection of navigation commands in the form of at least one of a voice and a DTMF command by said telephone users to access web pages accessible over said TCP/IP network; and</p> <p>means for navigating over said TCP/IP network to said web pages in response to said navigation commands, resulting in a verbal communication of at least some information derivable from said web pages to said plurality of telephone users.</p> <p>15. A voice web browser as recited in claim 13 wherein said means for making initial verbal contacts includes means for providing a plurality of options to the telephone users.</p> <p>16. A voice web browser as recited in claim 13 further comprising means for</p>	<p>comprising:</p> <p>connection means for implementing a connection of a telephone user to an access system that is coupled to a TCP/IP network;</p> <p>means for detecting a selection of at least one navigation command by said telephone user to access a web page accessible over said TCP/IP network; and</p> <p>means for navigating utilizing the functionality of a customized web browser over said TCP/IP network to said web page in, response to said navigation command, resulting in a verbal communication of at least some information derivable from said web page to said telephone user; means for estimating a download time for said web page;</p> <p>means for selecting at least one advertisement based on the estimated download time; and</p> <p>means for playing said selected advertisements with downloading said web page.</p> <p>14. A voice web browser as recited in claim 13 further comprising means for making an initial verbal contact with said telephone user after implementing a connection.</p> <p>15. A voice web browser as recited in claim 13 wherein said means for making an initial verbal contact includes means for providing a plurality of options to the telephone user.</p> <p>16. A voice web browser as recited in claim 12 further comprising means</p>
--	---

<p>creating a web page accessible via said TCP/IP network.</p> <p>17. A method for retrieving e-mail that was sent over a TCP/IP network comprising:</p> <p>calling from a user touch-tone telephone via a public telephone system including at least one telephone switch office to an access computer coupled to a TCP/IP network;</p> <p>providing at least one of a user identification and a password to said access computer by at least one of user ID, voice communication, and DTMF signals;</p> <p>retrieving e-mail via said access computer that was sent over said TCP/IP network and addressed to said user; and</p> <p>reading said e-mail to said user of said user telephone utilizing a text-to-speech system.</p> <p>18. A method for retrieving e-mail as recited in claim 17 further comprising providing at least one command to said access computer via at least one of a voice and a DTMF command developed by said user telephone.</p> <p>19. A computer readable media encoded with software instructions and data to implement the method of claim 17.</p> <p>20. A system for retrieving e-mail that was sent over a TCP/IP network comprising:</p> <p>an access computer means coupled to a TCP/IP network, said access computer means being accessible by a user via a user touch-tone telephone which communicates with said access computer means via a public telephone system including at least one telephone switch office;</p> <p>DTMF signals for providing at least one of user identification and a password to</p>	<p>for creating a web page accessible via said TCP/IP network.</p> <p>17. (amended) A method for retrieving e-mail that was sent over a TCP/IP network comprising:</p> <p>calling from a user telephone through at least one publicly accessible telephone switch office to an access computer coupled to a TCP/IP network;</p> <p>providing user identification and a password to said access computer;</p> <p>retrieving e-mail via said access computer that was sent over said TCP/IP network and addressed to said user; and</p> <p>reading said e-mail to said user of said user telephone utilizing a text-to-speech system.</p> <p>18. A method for retrieving e-mail as recited in claim 17 further comprising providing at least one command to said access computer via a DTMF signal developed by said user telephone.</p> <p>19. A computer readable media encoded with software instructions and data to implement the method of claim 17.</p> <p>20. A system for retrieving e-mail that was sent over a TCP/IP network comprising:</p> <p>an access computer means coupled to a TCP/IP network, said access computer means being accessible by a user via a user telephone;</p> <p>means for providing user identification to said access computer means;</p>
--	---

<p>said access computer means;</p> <p>means for retrieving e-mail via said access computer means that was sent over said TCP/IP network and addressed to said user; and means for reading said e-mail to said user of said user telephone.</p> <p>21. A voice web browser as recited in claim 1 wherein at least one of DTMF and voice recognition can be used to interact with said selected web page by said user.</p> <p>22. A voice web browser system comprising:</p> <p>a plurality of touch-tone telephones capable of producing DTMF signals;</p> <p>a remote access system coupled to a TCP/IP network, said TCP/IP network comprising a plurality of nodes said TCP/IP network providing access to web pages stored on computer systems coupled to said TCP/IP network, said web pages comprising HTML code that can be transmitted via TCP/IP packets to said access system over said TCP/IP network, said access system being able to receive said TCP/IP packets and to parse said HTML code into text and non-text portions;</p> <p>a speech recognition system responsive to spoken commands from said telephone users and operative to provide voice commands to said access system;</p> <p>a public telephone system coupling said plurality of telephones to said access system for interactive communication with said access system through one or more telephone switch offices such that at least one of said DTMF signals and voice commands can be used to navigate among said web pages to a selected web page for a plurality of users of said plurality of telephones after a user of a touch-tone telephone is granted permission to use such</p>	<p>means for retrieving e-mail via said access computer means that was sent over said TCP/IP network and addressed to said user; and means for reading said e-mail to said user of said user telephone.</p>
---	---

<p>functionality; a security system requiring at least a password to grant said user permission;</p> <p>and</p> <p>a text-to-speech system associated with said access system for reading at least some of said text portions to at least one of said plurality of users of said selected web page;</p> <p>wherein at least one of DTMF and voice recognition can be used to interact with said selected web page by said user, and wherein said interaction with said selected web page includes the entry of data into a data field of said selected web page.</p> <p>23. A computer implemented process as recited in claim 7 further comprising using at least one of DTMF and voice recognition to allow said user to interact with said selected web page.</p> <p>24. A computer implemented process wherein for obtaining web page information over a TCP/IP network comprising:</p> <p>implementing a connection of a plurality of telephone users via a public telephone system including at least one telephone switch office to an access system that is coupled to a TCP/IP network;</p> <p>requiring at least a password to grant a user of a telephone permission utilize the functionality of said access system;</p> <p>making an initial verbal communication to said user including at least providing a plurality of options: detecting a selection of navigation commands by at least one of voice and DTMF commands made by said telephone users to access web pages accessible over said TCP/IP network:</p> <p>navigating over said TCP/IP network to said web pages in response to said</p>	
---	--

<p>navigation command, resulting in verbal communication of at least some information derivable from said web pages to said user; and</p> <p>using at least one of DTMF and voice recognition to allow said user to interact with said selected web page including allowing the user to enter data into a data field of said selected web page.</p> <p>25. A method for retrieving e-mail that was sent over a TCP/IP network comprising:</p> <p>calling from a user touch-tone telephone via a public telephone system including at least one telephone switch office to an access computer coupled to a TCP/IP network;</p> <p>providing at least one of a user identification and a password to said access computer by at least one of user ID, voice communication, and DTMF signals;</p> <p>retrieving e-mail via said access computer that was sent over said TCP/IP network and addressed to said user; and</p> <p>reading said e-mail to said user of said user telephone utilizing a text-to-speech system.</p> <p>entering a new e-mail message via at least one of voice recognition and DTMF signals; and</p> <p>sending said new e-mail message to a recipient via said TCP/IP network.</p>	
---	--

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 17-20 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 17-20 of copending Application No. 09/633,497 in view of Rhie et al.

This is a provisional obviousness-type double patenting rejection.

Please see the claims comparison between the U. S. Pat. App. #. 09/631,424 and 09/633,497 in attached Appendix. The difference between the U. S. Pat. App. #. 09/631,424 and 09/633,497 is using the DTMF signal for providing the password for retrieving the E-mail. Rhie et al disclose a method for accessing and browsing the internet through the use of a telephone comprising the DTMF signal for providing the password for retrieving the E. mail (col. 2, line 61 through line 30, col. 3). Therefore, it would have been obvious to one skilled in the art to use DTMF signal for providing the password for retrieving the E. mail as taught by Rhie et al in order for accessing and retrieving information from an interconnected networks such as internet via telephone in response to the user's request and for delivering the information.

4. Claims 1,4-7,10-13,15,16,21-25 allowed.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to AJIT G. PATEL whose telephone number is 571-272-3140. The examiner can normally be reached on MONDAY-THURSDAY.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AP


Ajit Patel
Primary Examiner